

October 3, 2019

BY ELECTRONIC DELIVERY

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street S.W.  
Washington D.C. 20554

**Re: Oral Ex Parte Notice**  
**GN Docket No. 18-122**

Dear Ms. Dortch:

On October 1, 2019, Rodolphe Belmer, Chief Executive Officer of Eutelsat S.A. (“Eutelsat”) met in separate meetings with FCC Chairman Ajit Pai and his Legal Advisor, Alexander Sanjenis; Commissioner Michael O’Rielly and his Legal Advisor, Erin McGrath; Commissioner Geoffrey Starks and his Chief of Staff, William Davenport; and Umair Javed, Legal Advisor to Commissioner Rosenworcel. Also attending the meetings on behalf of Eutelsat were Wladimir Bocquet, Director of Spectrum Management Policy, and Bruce Olcott of Jones Day.

During the meetings, Mr. Belmer discussed Eutelsat’s reasons for originally agreeing to join the C-Band Alliance (“CBA”) and its recent decision to withdraw from the CBA. Mr. Belmer emphasized that Eutelsat supports the objectives of an expedite deployment of mid-band spectrum for 5G in the US. Eutelsat also favors the secondary markets approach to effectively clear a significant portion of the 3.7-4.2 GHz band for 5G wireless services for it is in the best interest of the satellite operators.

Mr. Belmer also discussed Eutelsat’s views concerning the appropriate role of each stakeholder and the potential allocation of a portion of the reconfiguration proceeds to the U.S. Government. Regarding the latter, Mr. Belmer clearly expressed his agreement to a significant contribution. Further, Mr. Belmer expressed Eutelsat’s willingness to reconsider participating in the CBA going forward, if, among other things, the structure and governance of the CBA and the proceeds allocation could be altered to better represent the interests of all affected stakeholders. He also stressed the legitimacy of the CBA to act as the transition facilitator and would therefore agree to rejoin for the transition stage of the process.

Elsewhere, Mr. Belmer emphasized that any reconfiguration of a portion of the 3.7-4.2 GHz band would clearly constitute a fundamental change to Eutelsat’s FCC authorizations.<sup>1</sup> Eutelsat and its subsidiaries operate several C-band satellites that provide services to customers in the United States, most of which operate pursuant to Commission

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<sup>1</sup> *Contra* Letter from William H. Johnson, Senior Vice President, Regulatory Affairs, to Marlene H. Dortch, Secretary, Federal Communications Commission, GN Docket No. 18-122 (Sept. 26, 2019).

grants of market access and one pursuant to an FCC license. The clearing of any portion of the 3.7-4.2 GHz band for terrestrial wireless services would render useless all of Eutelsat's satellite transponders that must use those frequencies to provide service to the United States. This would result in a direct deprivation of Eutelsat's substantial investment in those satellites and transponders and would constitute a fundamental change to its FCC authorizations.

Eutelsat has previously acknowledged that it could repack its existing U.S. customers using a smaller portion of the 3.7-4.2 GHz band.<sup>2</sup> This conversion was possible, with respect to the clearing of 100 to 200 MHz. Any requirement to repack its customers using its available satellite capacity would prevent Eutelsat from using that capacity to serve new customers or expand services to existing customers, in each case depriving Eutelsat of its anticipated return on its sizable investment in those C-band satellites and again resulting in a fundamental change to its FCC authorizations. Eutelsat is favorable to considering the clearing of more than 200 MHz, but this would involve analysis of the additional costs involved and the impact on existing customers.

Thank you for your attention to this matter. Please let me know if you have any questions about this filing.

Sincerely,

*/s/ Julie Burguburu*  
Julie Burguburu  
Group General Counsel  
Eutelsat

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<sup>2</sup> See Letter from Bruce A. Olcott, Counsel to Eutelsat S.A., to Marlene H. Dortch, Secretary, Federal Communications Commission, GN Docket No. 18-122 (April 9, 2019) (disclosing Eutelsat's plans to provide C-band satellite services to its customers using only 300 MHz of C-band spectrum).